

PUBLIC HEARING

OCTOBER 23, 2013

A public hearing of the Council of the County of Kaua'i was called to order by Nadine K. Nakamura, Chair, Planning Committee, on Wednesday, October 23, 2013, at 1:36 p.m., at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Līhu'e, and the presence of the following was noted:

Honorable Gary L. Hooser
Honorable Ross Kagawa
Honorable Nadine K. Nakamura
Honorable JoAnn A. Yukimura

Excused: Honorable Tim Bynum
Honorable Mel Rapozo
Honorable Jay Furfaro

The Clerk read the notice of the public hearing on the following:

"Bill No. 2502 – A BILL FOR AN ORDINANCE TO REPEAL ORDINANCE NO. 716, RELATING TO STANDARDS, PERMITS AND FEES FOR WORK ON BUILDINGS, STRUCTURES AND PROPERTY DAMAGED BY HURRICANE 'INIKI,"

which was passed on first reading and ordered to print by the Council of the County of Kaua'i on September 25, 2013, and published in The Garden Island newspaper on September 30, 2013.

The hearing proceeded as follows:

LARRY RIVERA: *Aloha* everyone. My name is Larry Rivera, born and raised on Kaua'i; six (6) generations. I started working at Coco Palms Lodge on September 14, 1951, except for two (2) years break in the Army. I went back to Coco Palms in 1954 on December 7th and have been there even since. I still meet and greet visitors there Monday through Friday at the lagoon bridge and I tell them about the beauty and that is all they see, the beauty of Coco Palms. They do not even see the damaged building when I talk to them and explain how it was. I would like first to thank the Council, past and present, for all of the proclamations and life achievement awards that are bestowed upon me for my songwriting, recordings, and my part in the community events as well as charitable events. To me and many, many people especially the local voters of Kaua'i, want Coco Palms back so badly so they can have jobs there. Coco Palms is an exception so I beg the Council to really think had before you make the decision. Coco Palms is an exception because it supported Kaua'i and was a huge benefit to the community. Everyday people ask me, "Larry, will Coco Palms be built again? I need a job." Therefore, Coco Palms should be made an exception to the 'Iniki Ordinance because Coco Palms was a cultural center of Kaua'i that was supported by the hotel. May I quote from my proclamations in Grace Guslander's honor a paragraph? "Whereas Kaua'i will remember Coco Palms Hotel as one of its precious gems; whereas Coco Palms remains closed today, but there are hopes that it will one day reopen to capture and restore some of the wonderful memories that have touched many

visitors and residents and continue the iconic presence established by late Grace Guslander. Now, therefore, I, Bernard P. Carvalho, Jr., Mayor of the County of Kaua'i, State of Hawai'i, to hereby proclaim September 29, 2012 as a tribute to Grace Guslander." Let it be so. Thank you for your time today and I just added a small thing. Coco Palms is not only about helping the economy of Kaua'i, it is not only about money, it is the spirit of *aloha* that lives there in the thousands of visitors and the people of Kaua'i. Thank you so much and God bless everyone here today.

Chair Nakamura:
Can you call the next speaker?

Thank you very much for your testimony.

Mr. Topenio:
Ken Kriner.

The next speaker is Bob Jasper, followed by

BOB JASPER: Aloha. My name is Bob Jasper, not near as technological savvy as Larry. I do not have iPad so I have to just wing it here. I am just speaking on my own behalf even though I do spend every day, all day on the ground of Coco Palms. I started off my working career in the hotel business and I worked in hotels all around the Country. Never, never in my career did I ever see a hotel that has the passionate followers that the Coco Palms does. Every afternoon I do a tour down there. People show up, tons of people, every day that want to see it. I can understand the people who live here, their frustration of having to look at it for the last twenty-one (21) years, fourteen (14) of those years where the people who owned it at the time of the hurricane, the current owners were not responsible for the first fourteen (14). I have never seen anything like it. On our combined Coco Palms Facebook pages and webpages we have thousands of members and all of these people are just chomping at the bit to come back and stay at the Coco Palms. We know Bill No. 2502, if it passes, it will pretty well be death for the hotel. It will end up something else. There are people who would like to see it a cultural center down there. Coco Palms, from the day it opened was always a cultural center and the new group looking at it who would like to rebuild it now, they also want to do that. They want to operate it just like it operated when Grace and Lyle had it. I would just ask you to really give a lot of thought to this Bill. If this passes, there will not be one hundred fifty (15) to two hundred (200) construction jobs that this would create; once the hotel is finished, that is another three hundred plus (300+) jobs. We need jobs on this island. The current 'Iniki Ordinance allows them to rebuild the structure to what it was prior to the hurricane. Seventy percent (70%) of that structure down there does not have to be demolished. Seventy percent (70%) of that structure is steel and cement. They can just rebuild the rooms inside of it, refurbish the dining rooms, the Lagoon Dining Room, the Lagoon Terrace Lounge, the Chapel, and everything that made the place so famous can be refurbished. That is the potential byer's dreams, to operate it just as it was and to include all of the cultural activities – and I am not speaking on behalf of these people mind you. But they want...

Chair Nakamura:
have three (3) additional minutes.

Bob, that is your first three (3) minutes. You

Mr. Jasper:
your time. I appreciate it. *Aloha*.

I am done. Well, thank you very much for

Chair Nakamura:

Next speaker please.

Mr. Topenio:
Kriner.

Vice Chair, we have our last speaker, Ken

KEN KRINER: *Aloha*, Council. My name is Ken Kriner. I live up in the Homesteads. My wife and I have been coming to Kaua'i now for about fifteen (15) years and over five (5) years ago, we decided that this is where we wanted to retire and we bought a home here. We are part of Kaua'i now. Even though I am retired, I am a Senior Pilot for the (inaudible) patrol, so I am one of your pilots that cruises around the island for tsunami warnings and storm warning. I am part of the island now. I am here to say, we should not repeal the 'Iniki law. I have many, many, many people that have visited Coco Palms when it was still "alive" and I have never met a person who have anything negative to say about Coco Palms. Although I did not get to experience Coco Palms myself, I was in the Navy stationed on O'ahu and never had the opportunity to come over here when it was still active. I will say that I have met the potential and some of the investors and I get a sense that they really do want to make it happen. I did not get the sense when I met the previous owners of Coco Palms. I know some of the history of what happened when Mrs. Guslander sold and so on and so forth. I have done a lot of inquiry of Coco Palms. I sensed that previous owners did not take care of it all. They had not real intention to move ahead. These owners, I see intent to move ahead with Coco Palms and if we can get the *aloha* spirit back into Coco Palms, Coco Palms is the essence of Kaua'i. It is what Kaua'i means. It has an attraction worldwide and we are not just going to have people come in from just West coast mainland. This can be people from all over the world. We have even had grandchildren coming down. I know Larry very well. Grandchildren coming and they want to see where their grandparents spent their honeymoon. They want to get married here. It is just a feeling that is just extremely hard to describe. If this is repealed, Coco Palms will never happen. It is too onerous for all of the permits for an owner to get everything from ground level up again. It will never happen. Time will drag on forever and we would constantly drive up the highway and the pleaded Coco Palms building which does not represent Kaua'i. If this will be turned into a park it would be a tax burden. I do not think that Kaua'i can afford to take on anymore tax burdens. It would not generate any income.

Chair Nakamura: Ken, that is your first three (3) minutes. You have three (3) additional minutes.

Mr. Kriner: Three (3) extra minutes? Thank you very much. Coco Palms will create jobs in the construction period and when it is back alive again. I feel that Coco Palms is a living, breathing entity of Kaua'i. I think there is a very positive thing that can happen and I would urge you to give all the benefit of the doubt to the new owner because I feel he is sincere. He has told me right eyeball to eyeball, I want to bring it back exactly the way it was. No five-star spa, nothing fancy. I want to bring it back to the way it was because Coco Palms is not a Princeville hotel, but it is the essence of Kaua'i. Thank you.

Chair Nakamura: Councilmember Yukimura. Can you hold on for just a second? We have a question for you.

Mr. Kriner: I am sorry.

Chair Nakamura: Councilmember Yukimura.

Ms. Yukimura: Hi, Mr. Kriner. Thank you for being here. You said if repealed, Coco Palms will not happen. Has there been a real feasibility study so that if the Bill is not repealed then Coco Palms will happen because people have been...

Mr. Kriner: I do not think it can because it would revert now to current...

Ms. Yukimura: No, if it is not. If the law is not repealed, what assurance do we have that Coco Palms will happen? Has there been a...

Mr. Kriner: Can I sit here and say for sure? But I can guarantee you that if it is repealed, it will not happen. I think there is more of an opportunity for this developer to make it happen. But if it is repealed there is no way it could make it happen.

Ms. Yukimura: Right, but the island has waited for twenty-one (21) years.

Mr. Kriner: Right.

Ms. Yukimura: There is some expectancy or desire that it actually happen and I think people would be adverse to wait for another twenty-one (21) years.

Mr. Kriner: No. I am not willing to see that.

Ms. Yukimura: Has there been any actual feasibility study that the buildings can actually be rebuilt?

Mr. Kriner: Yes, they have gone in and looked at them. I have talked to several people and they have looked at them.

Ms. Yukimura: Something a little bit more concrete than looking at it?

Mr. Kriner: Well, I am not a hired engineer to do that.

Ms. Yukimura: I know.

Mr. Kriner: I am a retired engineer.

Ms. Yukimura: No, no. I was wondering whether there was any study that the developers had done.

Mr. Kriner: I am sure the current developer has got people doing that and he should be communicating with you all to focus his efforts on what the status of the buildings are and so on and so forth and just move ahead.

Chair Nakamura: Thank you very much. Councilmember Yukimura, any other questions?

Ms. Yukimura: Can we have Mr. Jasper up?

Chair Nakamura: Okay, Mr. Jasper.

Mr. Jasper: Bob Jasper again. Just an answer to your questions to Ken. Every year to year and a half the current owners, Prudential, has had engineers continually go through the buildings and they have done this every year since they purchased it back in 2005. The potential buyers are spending a lot of money in there. We have architects on the property every day. For the last three (3) weeks, we have has environmentalist groups going through looking for any hazardous materials and things like that. A lot of money is being spent. It is the potential buyers who spend one hundred thousand dollars plus on that dust fence (\$100,000+). Right now there are people working the grove cutting down the dead trees and starting to bring to grove back to what it was. We have scheduled next to mow the grove. A lot of work is being done down there right now and yes...

Chair Nakamura: Thank you, Mr. Jasper.

Mr. Jasper: The building permit applications are being submitted. The demolition permits have already been pulled.

Ms. Yukimura: Thank you.

Chair Nakamura: I there is one more question.
Councilmember Hooser.

Mr. Hooser: Yes. Mr. Jasper, good afternoon.

Mr. Jasper: Yes.

Mr. Hooser: It sounds like you have been in contact with the developers/owners on a fairly regular basis. Do you see them?

Mr. Jasper: Yes.

Mr. Hooser: My question is, I am wondering why they are not here today testifying in support of the same thing you are testifying.

Mr. Jasper: I cannot answer that question. I do not know.

Mr. Hooser: Okay, alright. Thank you very much.

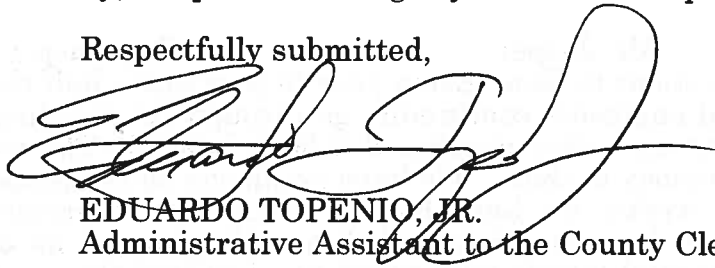
Chair Nakamura: Thank you very much. Is there anyone else who would like to testify?

Mr. Topenio: Vice Chair, none at this time.

Chair Nakamura: Would anyone here like to testify who did not sign up? Then if not, I think this will go onto probably Committee Meeting. I am not sure which Committee. On the 13th, Planning Committee. Maybe at that time it might be good to have the developers there.

There being no further testimony, the public hearing adjourned at 1:53 p.m.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Eduardo Topenio, Jr.', is written over the typed name and title.

EDUARDO TOPENIO, JR.

Administrative Assistant to the County Clerk

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